

*Officer
Copy*

SEARCH WARRANT

STATE OF WEST VIRGINIA, County of Fayette, to-wit:

To the Sheriff or any Deputy Sheriff of the County, to any member of the Department of Public Safety, or to any police officer authorized by law to execute search warrants:

Whereas, Detective Sergeant S. R. Morris has this day made complaint on oath before the undersigned, a Magistrate of said County, that on the 7th day of September, 20 17, in the said County of Fayette, prior to the issuance of this warrant,

Melissa Figueroa did unlawfully, ☒ and feloniously / ☐ but not feloniously, (state the offense)

Delivery of a controlled substance 60A-4-401

it is unlawful for any person to manufacture, deliver, or possess with intent to manufacture or deliver, a controlled substance.

and that the complainant has cause to believe and does believe that property (check all that apply),

- a. ☒ stolen/ ☐ embezzled/ ☐ obtained by false pretenses;
- b. ☒ designed and intended for use/ ☒ which is and has been used as a means of committing such criminal offense;
- c. ☒ manufactured/ ☒ sold/ ☒ kept/ ☒ concealed/ ☒ possessed/ ☒ controlled /
- ☒ designed and intended for use/ ☒ which is and has been used in violation of the criminal laws of the state;
- d. ☒ evidence of a crime.

Namely (state property to be seized),

See attachment A

**GOVERNMENT
EXHIBIT**

CASE
NO. 2:18-cr-198

EXHIBIT
NO. A

is concealed in (describe premises),

☐ Check if continuation sheet is included.

See attachment B

and that the grounds for probable cause for the issuance of this warrant are as follows: (state facts for belief)

See attachment C

and that the name of the person whose affidavit has been taken in support of the issuance of this warrant is Detective Sergeant S. R. Morris Det Sgt SRM (complainant's name).

You are, therefore, commanded in the name of the State of West Virginia to search forthwith the premises above described and all appurtenances appertaining thereto for the property above specified, to seize such property and bring the same before me to be dealt with according to law.

Given under my hand this the 7 day of September, 2017.

NOTE: W.Va. Code § 62-1A-4 provides specifically that a warrant may be executed and returned only within 10 days after its date.

Donita Young
Magistrate's Signature

SCA-M28: Search Warrant (Affidavit and Complaint, Warrant, and Property Receipt)

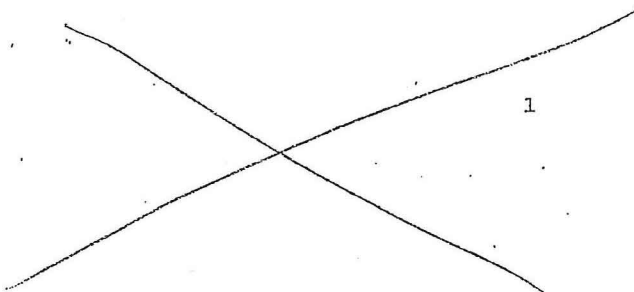
Revision Date: 07/15/2016; Docket Code(s): MMWAS

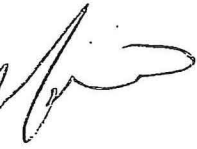

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09.07.17
Det Sgt SRM

ATTACHMENT A

1. Any and all controlled substances including, HEROIN, and any other controlled, dangerous substance not legally prescribed.
2. Books, records, receipts, notes, ledgers and other papers relating to the transportation, ordering, purchase and distribution of controlled substances; in particular, HEROIN, and any and all other controlled, dangerous substances.
3. Papers, tickets, notes, receipts, and other items relating to domestic travel.
4. Books, records, invoices, receipts, records of real estate transactions, bank statements, and related records, certificates of deposits, passbooks, money drafts, letters of credit, money orders, bank drafts, cashier's checks, bank checks, correspondence, locked container and or safes, safe deposit box key's, money wrappers, and other items evidencing the obtaining, secreting, transfer and/or concealment of assets and the obtaining, secreting, transfer, concealment and/or expenditure of money.
5. Electronic equipment, such as computers, telex machines, facsimile machines, currency counting machines, pagers (alpha-numeric display beepers), telephone answering machines, and related manuals used to generate, transfer, count, record and/or store the information described in Items 1, 2, 3, and 5 of this exhibit. Additionally, computer software, tapes and discs, audio tapes, and the contents therein, containing the information generated by the aforementioned electronic equipment.
6. Cellular telephone(s) and/or portable cellular telephone(s), and any stored electronic communications contained therein.
7. United States currency, precious metals, jewelry and financial instruments, including mortgage notes, stocks, bonds.

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Det Sgt SRM 
Dental 
9/7/17

8. Photographs, including still photographs, negatives, videotapes, films, undeveloped film and the contents therein, slides, in particular, photographs of co-conspirators, of assets and/or controlled Dangerous Substances.
9. Address and/or telephone books (written or typed by hand as opposed to printed commercially), rolodex indices and any papers reflecting names, addresses, telephone numbers, pager numbers, fax numbers and/or telex numbers of co-conspirators, sources of supply, customers, financial institutions, and other individuals or businesses with whom a financial relationship exists.
10. Indicia of occupancy, residence, rental and/or ownership of the premises described herein including, but not limited to, purchase or lease agreements, and keys.
11. Firearms and ammunition, including but not limited to handguns, pistols, revolvers, rifles, shotguns, machine-guns and other weapons, and any records or receipts pertaining to firearms and ammunition.
12. Any other financially related records showing the disposition of funds or other documents relating to assets.
13. Records of all business ventures, partnerships, corporations, proprietorships, or any other entity.
14. Proceeds of drug trafficking to include, but not limited, to U. S. Currency.
15. Drug paraphernalia and other items used for transporting, smuggling, concealing, packaging, distributing, cutting, weighing and separating controlled substances to include but not limited to HEROIN, and any and all controlled substances.

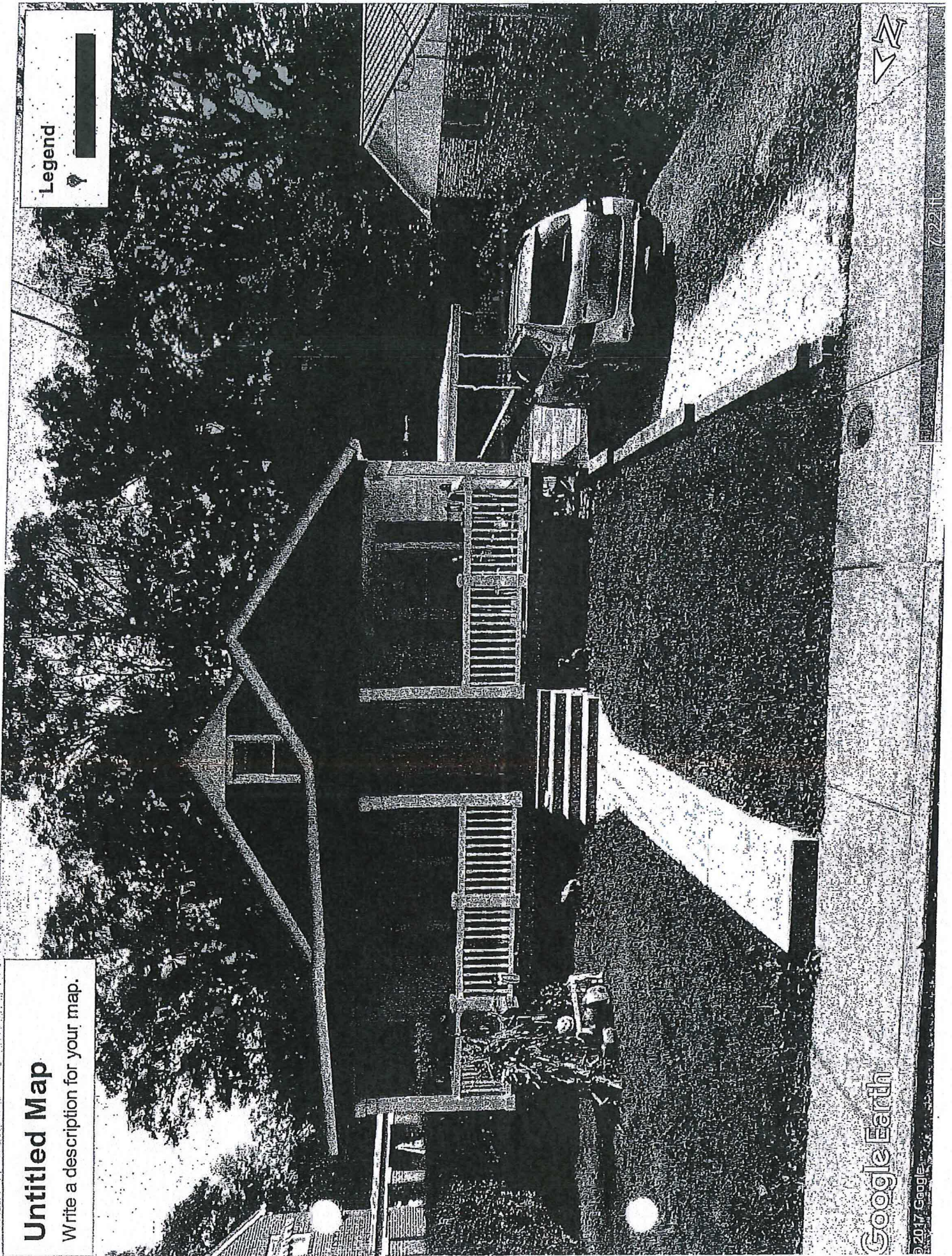
Det Sgt SRMB
Dantay Young
9/7/17

Attachment B

The residence is located at [REDACTED], Oak Hill, Fayette County WV. The residence is described as a single family, two story dwelling. The residence has white in color siding, with brown in color siding on the front eaves. The residence has a covered front porch and black in color shutters on the front windows. The residence as a attached carport located to the right side of the residence. From the Oak Hill Police Department cross Virginia Street onto Fayco Avenue. Travel approximately 250 feet and turn right onto Richards Street. Travel approximately 300 yards on Richard Street and make the left hand curve onto Chestnut Avenue. Travel approximately 100 yards on Chestnut Avenue and turn left onto Park Street. Travel approximately .2 of a mile on Park Street and turn right onto Woods Avenue. Travel approximately 370 feet on Woods Avenue and the residence will be located on the left hand side of the roadway. The residence is the 6th residence on the left hand side of the road on Woods Avenue coming from Park Street.

Any and all vehicles, garages, outbuilding and campers located on the said curtilage.

Det Sgt SRM
Dana Young
9/7/17



Untitled Map

Write a description for your map.

Legend



Google Earth

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ATTACHMENT C

State of West Virginia,
County of FAYETTE, To Wit:

Affidavit

Your affiant, Detective-Sergeant S.R. Morris, being a sworn law enforcement officer, employed with the Fayette County Sheriff's Department and currently assigned to the Central West Virginia Drug and Violent Crime Task Force, being first duly sworn, does hereby depose and say:

On this day, the affiant came forward and states that he is a member of the Central West Virginia Drug and Violent Crime Task Force and currently deputized with the West Virginia State Police; and part of his duties as an officer are to investigate crimes that occur in the State of West Virginia. Your affiant has participated in and conducted numerous investigations, some of which require the completion and execution of search warrants.

- (A) Your affiant, Detective-Sergeant S.R. Morris, has been successful in the investigation, arrest and conviction of numerous felony offenders. Your affiant's experience as a member of the Central West Virginia Drug and Violent Crime Task Force includes, but is not limited to multiple felony drug investigations, to include violent crimes, property crimes, drug investigations, etc. Since being assigned to this location, your affiant has been involved in numerous State and Federal narcotics investigations, as well as other types of investigations.
- (B) Your affiant, Detective-Sergeant S.R. Morris, is a sworn officer, with the Fayette County Sheriff's Department. Furthermore, your affiant is deputized with the West Virginia State Police.
- (C) Your affiant graduated from the West Virginia State Police Academy in May 2007 and received training in criminal investigations, homicide investigations, drug identification, drug investigation techniques and laws regulating controlled substances while attending the training course.
- (D) Your affiant further states that on 09/07/2017 at approximately 1700 hours, that he along with Detective-Sergeant C.A. Young were conducting surveillance in the parking lot area of the Dollar Tree in Oak Hill, Fayette County, WV. At this approximate time I witnessed a gold Ford Taurus (WV#5SE572) pull up beside a vehicle sitting in the parking lot. I then witnessed a white female subject who I identified as Melissa Figueroa go up to the driver's side of another vehicle sitting in the lot and meet with a subject through the window of the vehicle. I then witnessed Melissa Figueroa hand

Det Sgt S.R. Morris
Dante Young
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the subject a small item through the window of the vehicle. I then witnessed the subject in the vehicle hand Melissa Figueroa a sum of U.S. Currency and then witnessed Melissa Figueroa put the U.S. Currency inside her bra on her left side. Melissa Figueroa then got into her vehicle and left the area. I then conducted a take down on the vehicle of the subject that gave the U.S. Currency to Melissa Figueroa in the parking lot near the Comac Liquor Store and I approached the subject in the vehicle and identified myself as a Detective working for the Central WV Drug Task Force and questioned them about the transaction. The subject then stated that they had purchased heroin from Melissa Figueroa with the U.S. Currency and pulled out a plastic baggy with a brown substance contained within consistent with Heroin out of their front right pants pocket and handed it to me. The subject then agreed to work as a Cooperating Individual for the Central WV Drug Task Force. Myself and Det-Sgt. Young then observed the gold Ford Taurus sitting in front of [REDACTED], in Oak Hill, WV where we had prior knowledge that Melissa Figueroa lived or stayed at.

(E) On the same date I met with the aforementioned CI. I conducted a search of the CI along with their vehicle and found them to be free of any drugs, moneys, paraphernalia, or weapons. I then provided the CI with prerecorded United States Currency and an audio/video recorder. Myself and Det-Sgt Young then conducted surveillance at [REDACTED], in Oak Hill, Fayette County, WV where we had prior knowledge that Melissa Figueroa lived or stayed at. We then witnessed Melissa Figueroa come out [REDACTED] and get into a Gray Dodge Neon (WV#DRA700) along with another female. We then followed the vehicle in the area of the Dollar Tree where I witnessed the vehicle pull up beside of the CI. We then witnessed Melissa Figueroa get into the CI's vehicle for a short period of time. Melissa Figueroa then exited the CI's vehicle and got back into the Dodge Neon and myself and Det-Sgt Young then followed them back to the residence at [REDACTED] in Oak Hill, Fayette County, WV. I then met back with the CI at an undisclosed location where the CI handed me (1) clear baggie with a brown substance contained within consistent with Heroin. The CI then stated that they had purchased this from Melissa Figueroa with the prerecorded U.S. Currency that I provided to them. I then conducted a search of the CI along with their vehicle and found them to be free of any drugs, moneys, paraphernalia, or weapons.

(F) Members of the Central West Virginia Drug have received numerous complaints about the sale and distribution of Heroin from this residence. Members of the Task Force have received numerous complaints about other subjects who are known to live or stay at the residence described. Those subjects are Keith Sizemore and Amber Evans.

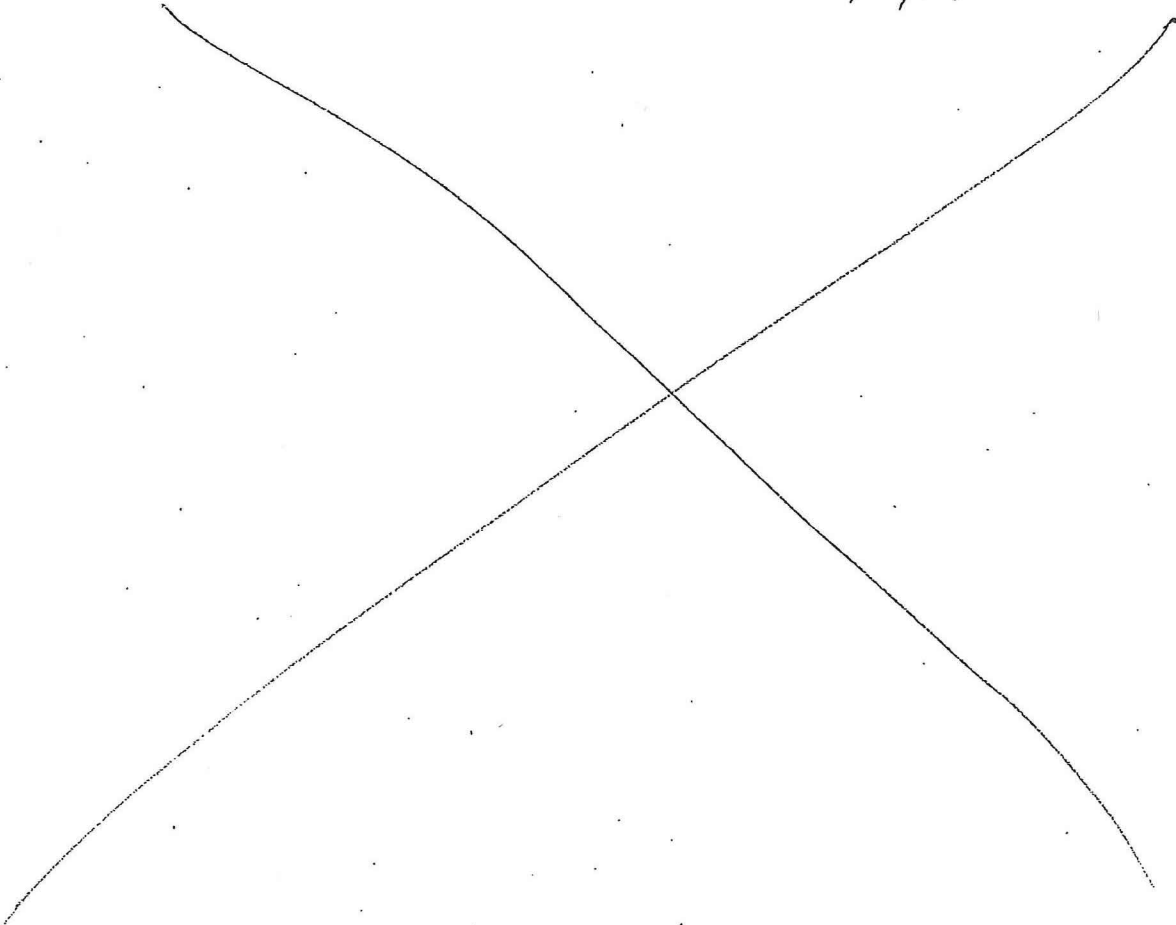
Det Sgt SRW
Dante Young
9/7/17

(G) Based upon the above information, the experience and training of your affiant, the undersigned officer has probable cause to believe the items sought in Attachment A may be found at the residence as described in attachment B of this document. Items may also be found in vehicles, outbuildings, garages or campers that are on the said property. It is known as common practice for people whom deal controlled substances to store the items that are listed in Attachment A in the above listed areas on their property. Therefore, your affiant requests a search warrant for the described property from the residence and property described as in attachment B of this document. Your affiant swears the aforementioned information is true and correct to the best of his knowledge and beliefs.

Det Sgt S.R.M.

Detective-Sergeant S.R. Morris
CWVDVCTF

Dante Young
9/7/17



PROPERTY RECEIPT

STATE OF WEST VIRGINIA, County of Fayette, to-wit:

I, the undersigned, did execute the within warrant, on the 7 day of Sept, 20 17.
 time: 2211 ☐ a.m./ ☒ p.m., by searching the premises therein described.

The following is an inventory of the property seized, hereby receipted:

- Back room*
- (1)(3) large baggies containing brown substance, (2)(6) small baggies containing brown substance
 - (3)(1) set of digital scales (vs glacier) (4)(1) ^{gun} ruger P89 #310-11405 with (2) loaded magazines. (5)(1) Browning #5269m69 30-06 with (4) rounds (6) \$182.00 in U.S. Currency (7)(3) DMV ^{certificate of title}
 - exit* (8) \$2100.00 in U.S. Currency
 - side* (9)(1) 2017 Chevy Silverado Red VIN-1GCVKREC9HZ340861 with Key
 - (10)(1) Harley Davidson 2014 VIN-1HD1BFV15EB021746 with Key
 - (11)(1) 2002 Toyota Sedan VIN-JTDBF32K220075874 with Key
 - ingroom* (12)(1) Black Kyocera cell phone

~~NOTHING FOLLOWS~~

Dated this 7 day of Sept, 20 17

Det Sgt SRN
 Officer

Receipt of a copy of the within warrant is hereby acknowledged along with the inventory of the property taken as above listed.

Dated this 8 day of Sept, 20 17, time: 1201 ☒ a.m./ ☐ p.m.

FORTHWITH

Person from whose premises the property was taken